

THE HONORABLE JOHN C. COUGHENOUR

UNITED STATES DISTRICT COURT  
WESTERN DISTRICT OF WASHINGTON  
AT SEATTLE

UNITED STATES OF AMERICA;

CASE NO. C17-1138-JCC

Plaintiff;

ORDER

v.

THE REAL PROPERTY COMMONLY  
KNOWN AS 101 WEST HERMOSA DRIVE,  
SAN GABRIEL, CALIFORNIA 91775, LOS  
ANGELES COUNTY, PARCEL NO.  
536021022, TITLED IN THE NAME OF DEK  
GROUP, LLC;

ALL FUNDS CONTAINED IN WELLS  
FARGO BANK ACCOUNT NUMBER  
XXXXXX4582, HELD IN THE NAME OF  
BRIAN K. BURNETT;

AND

ALL FUNDS CONTAINED IN BANK OF  
AMERICA ACCOUNT NUMBER  
XXXXXXXX9392, HELD IN THE NAME OF  
DEK GROUP, LLC;

Defendants.

This matter comes before the Court on the Government's motion to lift the stay and  
dismiss its complaint (Dkt. No. 33). The Court previously stayed all proceedings in this civil

1 forfeiture case because the Government was prosecuting a related criminal case before the Court.  
2 *See United States of America v. Alexandra Shelburne, et al.*, Case No. CR17-0203-JCC, Dkt. No.  
3 1 (W.D. Wash. 2017). The Court granted a series of stays pending resolution of the criminal  
4 case. (Dkt. No. 15 at 3) (citing 18 U.S.C. § 981(g)(1); *see* Dkt. Nos. 18, 20, 22, 24, 28.)

5 On June 1, 2021, the United States filed a Superseding Information in the criminal case  
6 with a forfeiture allegation stating that the proceeds of the offense, including the property at issue  
7 in this case, are forfeitable. *See Shelburne*, Case No. CR17-0203-JCC, Dkt. No. 362. Defendant  
8 Kilgore pleaded guilty, forfeiting the property identified in the forfeiture allegation of the  
9 Superseding Information. *Id.* at Dkt. Nos. 367, 369. Defendant Kilgore's judgment includes  
10 restitution and forfeiture, as reflected in a final order of forfeiture previously granted by the  
11 Court. *Id.* at Dkt. Nos. 377, 390. Therefore, the prosecution of the criminal case has ended and  
12 all the properties at issue in this case have been forfeited. For these reasons, the Government  
13 requests that the Court lift the stay and dismiss its complaint. (*See* Dkt. No. 33 at 4.)

14 Finding good cause for dismissal, the Court hereby ORDERS the stay be lifted and  
15 DISMISSES the complaint (Dkt. No. 1). The Court DIRECTS the Clerk to close this case.

16 DATED this 9th day of December 2021.

17  
18  
19 

20 John C. Coughenour  
21 UNITED STATES DISTRICT JUDGE  
22  
23  
24  
25  
26